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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,867	01/02/2001	Edward C. Guerrero JR.	5500-64900	1985

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EXAMINER

DANG, KHANH NMN

ART UNIT

PAPER NUMBER

2181

DATE MAILED: 07/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/753,867

Applicant(s)

GUERRERO ET AL.

Examiner

Khanh Dang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other:

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## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

Claims 1-16, 30-40 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claim 1, the essential structural cooperative relationships between the so-called "one or more devices," "arbiter," and "one or more power supply" have been omitted, such omission amounting to a gap in necessary structural connections. See MPEP § 2172.01.

With regard to claims 12 and 38, the phrase, "to choose a low power request" cannot be ascertained because "none of the device are [sic] present." Note that in claim 1, "one or more devices configured to assert a voltage request."

With regard to claim 30, the essential structural cooperative relationships between the so-called "input stage," "arbitration stage," and "output stage" have been omitted, such omission amounting to a gap in necessary structural connections. See MPEP § 2172.01.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 11-21, 30-32, and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Voegeli et al. (6,448,672).

It is first noted that similar claims will be grouped together to avoid repetition in explanation.

As broadly drafted, these claims do not define any structure/step that differs from Voegeli et al. With regard to claim 1, Voegeli et al. discloses . a computer system, comprising: one or more devices (10) configured to assert a voltage request; an arbiter ((4) configured to receive a plurality of voltage requests asserted by a plurality of the one or more devices (10), to choose a chosen voltage request and to output the chosen voltage request to one or more power supplies (6); and the one or more power supplies (6), wherein each of the one or more power supplies (6) is configured to receive the chosen voltage request and to provide a chosen voltage that corresponds to the chosen voltage request to one or more of the one or more devices (10). With regard to claim 2, see at least col. 3, lines 42-64. With regard to claims 3 and 31, see at least Fig. 7 and description thereof. With regard to claim 4, it is clear from Voegeli et al. that if only one request, the arbiter (controller) will select that one request without arbitration. With regard to claims 5 and 32, the arbiter (controller), of course, can be configured to choose a highest voltage request (the preferred rail voltage (max voltage) requested by device (10) and indicated by voltage control parameter). With regard to claims 11 and

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38, see at least claim 18. With regard to claims 13 and 40, it is, as a matter of course, that the arbiter (controller) has to select that one request from only one device. With regard to claim 14, see col. 5, lines 30-35. With regard to claim 15, see at least Fig. 7. With regard to claim 16, see at least col. 7, lines 36-40. With regard to claims 17-21, 27-29, one using the system of Voegeli et al. would have performed the same steps set forth in claims 17-21 and 27-29.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-8, 22-24, 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voegeli et al.

Voegeli et al. discloses the claimed invention except the use of a « low power signal” to indicate whether the device(s) (10) should be placed in sleep or idle mode. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the device of Voegeli et al. with such a “low power signal,” since the Examiner takes Official Notice that placing a device under sleep or idle mode using an low power indicative signal is old and well-known in the computer art for the purpose of saving operating power or energy. If Applicants challenge the fact that the use of sleep

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or idle mode is old and well know, supportive document(s) either provided below or will be provided upon request.

Claims 9, 10, 25, 26, 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voegeli et al.

Voegeli et al. discloses the claimed invention except the use of an indicative signal to indicate whether the power supply or voltage regulator functions properly. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the device of Voegeli et al. with such an indicative signal, since the Examiner takes Official Notice that using an indicative signal (provided by a voltage detector, for example) to indicate whether the power supply or voltage regulator functions properly is old and well-know in the computer art for the purpose of preventing damage to the device/system from voltage surge, for example. If Applicants challenge the fact that the use of such indicative signal (discussed above) is old and well know, supportive document(s) either provided below or will be provided upon request.

U.S. Patent No. 5,343,086 to Fung et al., 6,137,188 to Mitchell et al., 5,079,410 to Payne et al., and 5,534,801 to Wu et al. are cited as relevant art.

Any inquiry concerning this communication should be directed to Khanh Dang at telephone number 703-308-0211.



Khanh Dang  
Primary Examiner